

MARINE SAFETY BULLETIN

Volume 4, Issue XVIII

April 2004

PORT ADVISORY

OVERVIEW

A recent incident highlights the need for the Coast Guard to reiterate our strict policy for alcohol consumption by operators of commercial vessels.

DETAILS

On February 04, 2004, a Mississippi River pilot reported to the Captain of the Port, New Orleans that the master of a foreign flagged vessel appeared to be intoxicated and smelled of alcohol when he arrived aboard to shift the vessel from an anchorage to a load berth. Coast Guard investigators administered a Breathalyzer test to the master which revealed that his blood alcohol concentration (BAC) exceeded the legal limit of .04 BAC. Additionally, the Coast Guard boarding team noted several placards posted on the vessel that declared the strict enforcement of the U.S. Coast Guard's Zero Tolerance policy for violations.

As a result of the investigation, the master was removed from the vessel by Federal agents, pled guilty, received a \$5,000 fine, one year probation, and was restricted from being a master for the duration of his probation.

The regulations governing alcohol consumption by crewmembers on commercial vessels are contained in 33 CFR Part 95. The regulations are applicable to all vessels in U.S. waters, including foreign vessels, and all crewmembers on those vessels. The legal BAC limit for a crewmember on a commercial vessel is .04. In addition to civil penalties for intoxication, vessel owners/operators can be cited for violation of the International Safety Management (ISM) Code and the vessels can be subject to control measures until the unsafe condition is corrected.

Agents are requested to distribute this notice to their clients. If you have any questions, please contact Commander Charles Rawson, U.S. Coast Guard at (504) 589-6273.

R. W. BRANCH
Captain of the Port